GOVERNMENT OF ANDHRA PRADESH
ABSRACT

PUBLIC SERVICES – PR&RD Department – Allegations of irregularities in execution of (IHHLs) personal toilets in Kamavarapukota Gram Panchayat, West Godavari District -Departmental action against Sri N.Syam Sundara Rao, the then Assistant Engineer, RWS&S,Kamavarapukota, West Godavari District under Rule 20 of the Andhra Pradesh Civil Services (Clarification, Control and Appeal) 1991 –Article of Charges – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.III) DEPARTMENT

G.O.RT.No. 191 Dated: 31-03-2020

Read the following:

1. From the Director General, General Administration (V&E) Dept, Vigilance Report No.11(516/V&E/E/2017), Dated: 21.4.2018.
2. From the Engineer –in-Chief, RWS&S, Lr.No.Vig.(II)/RWS&S/V&E-11/2019,Dt.29.10.2019.
3. G.O.Ms.No.614, PR&RD(Vig.III) Deptt., dt.31.03.2020.

ORDER:

It is proposed to hold an inquiry against Sri N.Syam Sundara Rao, the then Assistant Engineer, RWS&S,Kamavarapukota, West Godavari District in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A statement of the imputations of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri N.Syam Sundara Rao, the then Assistant Engineer, RWS&S, Kamavarapukota, West Godavari District is directed to submit his written statement of defense within (10) days from the date of receipt of this order.

4. Sri N.Syam Sundara Rao, the then Assistant Engineer, RWS&S, Kamavarapukota, West Godavari District is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri N.Syam Sundara Rao, the then Assistant Engineer, RWS&S, Kamavarapukota, West Godavari District is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the order/directions issued in pursuance of the said rules, the Inquiry Authority may hold the inquiry against him exparte, based on the material available on record.

6. Sri N.Syam Sundara Rao, the then Assistant Engineer, RWS&S, Kamavarapukota, West Godavari District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that Sri R.Narasimha Raju the then Extension Officer(PR&RD), Akiveedu, West Godavari Dist., and now retired is aware of such a representation and that it has been made at his instance and

action will be taken against him for violation of rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules,1964.

7. The receipt of this orders shall be acknowledge along with Annexure-I, II, III & IV forthwith.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

To
Sri N.Syam Sundara Rao, the then Assistant Engineer,
RWS&S, Kamavarapukota, West Godavari District through the
Engineer-in-Chief, RWS&S, A.P, Vijayawada
The Engineer-in-Chief, RWS&S, A.P, Vijayawada
(2 Copies) (With a request to serve Original Notice on the charged
Officer with dated signature and send the same for record).
Sf/Sc.

//FORWARDED:: BY ORDER//

SECTION OFFICER

Annexure-I

STATEMENT SHOWING the OF ARTICLE OF CHARGES FRAMED AGAINST Sri N.Syam Sundara Rao, the then Assistant Engineer,RWS&S,Kamavarapukota, West Godavari District

Charge :

That Sri N.Syam Sundara Rao, the then Assistant Engineer, RWS&S, Kamavarapukota, West Godavari District and presently working in RWS&S Sub-Division, Jangareddygudem, Eluru, West Godavari District has committed irregularities in the execution of (IHHLS) personal toilets in Kamavarapukota Gram Panchayat, West Godavari District recorded and recommended payments for incomplete toilets and old toilets under the guise of newly completed toilets in Kamavarapukota Gram Panchayat of West Godavari District,thereby causing loss to the Government exchequer.

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Thus, Sri N.Syam Sundara Rao, the then Assistant Engineer, RWS&S, Kamavarapukota, West Godavari District and presently working in RWS&S Sub-Division, Jangareddygudem, Eluru, West Godavari District by his above mentioned acts, has exhibited lack of integrity, has not shown devotion to duty and exhibited conduct which is unbecoming on part of a Govt. Servant, in contravention of Rule –3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Hence, the charge.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE –II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGE FRAMED AGAINST Sri N.Syam Sundara Rao, the then Assistant Engineer, RWS&S, Kamavarapukota,West Godavari District

The Vigilance and Enforcement Dept., officials inspected and verified all 269 toilets constructed by the agencies and found that there were 143 incomplete toilets, wherein Sri N.Syam Sundara Rao,the then Assistant Engineer, RWS&S, Kamavarapukota, West Godavari District :

1. Recorded and recommended for stage -2 payment of Rs.9,000/- to 143 incomplete toilets, resulting in excess payment of Rs.12,87,000/- to the agencies.
2. Recommended payment for three(3) old toilets constructed by (3) beneficieries, though it was his responsibility to submit the site photo(before construction) and longitude, latitude values offline to MPDO.
3. Recommended payment for two toilets in favour of (2) beneficiaries, though they were residing together in a single house and constructed single toilet only.
4. Made payment for the toilet constructed in a non-residential palm oil garden in respect of (1) beneficiary, which is ineligible.

As per the guidelines of SBM issued by the District Collector, West Godavari District as mentioned in V&E Report , it was clearly instructed that the AE,RWS&S should compile weekly payment list and that the Assistant Engineer is personally responsible for recording the stage of construction, But, the Officer recorded 143 incomplete toilets duly certifying that they were completed in all respects and recommended for stage-2 payment of Rs.9,000/- resulting in excess payment of Rs.12,87,000/- to the agencies and the Officer also recommended payments for all in-complete toilets before April,2017. But, the toilets were not even completed at the time of V&E enquiry during November,2017 i.e., after a lapse of seven months. As per the guidelines of SBM issued by the District Collector, West Godavari District as mentioned in V&E Report , it was clearly instructed that the AE,RWS&S should compile weekly payment list and that the Assistant Engineer is personally responsible for recording the stage of construction, But, the Officer recorded 143 incomplete toilets duly certifying that they were completed in all respects and recommended for stage-2 payment of Rs.9,000/- resulting in excess payment of Rs.12,87,000/- to the agencies and the Officer also recommended payments for all in-complete toilets before April,2017. But, the toilets were not even completed at the time of V&E enquiry during November, 2017 i.e., after a lapse of seven months. Also, as per the guidelines of SBM issued by the District Collector, the AE concerned has to verify online through login ID and recommended to MPOD. The AE/AEE.RWS&S has to submit the site photo(before construction) and longitude, latitude values offline to MPDO duly collecting the same from Swatcha doots/GP Secretaries. But, he failed in his duties and recommended payment for three old toilets constructed by (3) beneficiaries blaming the MRP for uploading the image of old toilets. However, during V&E Inquiry, it was clearly established that they were old toilets.

Thus, Sri N.Syam Sundara Rao, the then Assistant Engineer, RWS&S, Kamavarapukota, West Godavari District by his above mentioned acts has exhibited lack of supervision, integrity, devotion to duty, conduct unbecoming of a Government Servant and thereby violated Rule (3) of APCS(CC&A) Rules,1964.

Hence, the charge.

GOPAL KRISHNADWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE –III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGES FRAMEDAGAINST Sri N.Syam Sundara Rao, the then Assistant Engineer,RWS&S, Kamavarapukota, West Godavari District ARE PROPOSED TO BE SUSTAINED.

Vigilance Report No.11(516/V&E/2017) DT. 21.04.2018 OF GA(V&E) Dept.,

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSESS BY WHOM THE ARTICLE OF CHARGES FRAMEDAGAINST Sri N.Syam Sundara Rao, the then Assistant Engineer, RWS&S, Kamavarapukota, West Godavari District ARE PROPOSED TO BE SUSTAINED

-NIL

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER